

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FRANK M. PECK,

Case No. 2:21-cv-01865-APG-EJY

Plaintiff

ORDER

V.

MICHAEL MINEV, *et al.*,

Defendants.

9 Pending before the Court is Plaintiff's Motion for Enlargement of Time signed by Plaintiff
10 on August 29, 2022, and filed on August 30, 2022. ECF No. 33. In the Motion, Plaintiff, who is
11 incarcerated, explains he received Defendant's opposition to his pending Motion to Withdraw from
12 Settlement Agreement on the due date for the Reply. That is, Defendant's opposition was filed on
13 August 22, 2022, but Plaintiff did not receive the opposition until August 29, 2022. Plaintiff seeks
14 an extension of fifteen days, to September 14, 2022, within which to file his reply.

15 Ordinarily, the Court would not issue an order on a motion until the opposing party had an
16 opportunity to respond. However, waiting for Defendant's response to the instant Motion would
17 essentially moot Plaintiff's extension request because the response to the instant motion is due just
18 one day before the date on which Plaintiff seeks to file his reply. Plaintiff's request for extension is
19 not unreasonable given the circumstances present, and the extension will not prejudice Defendant as
20 Plaintiff's reply should render his Motion to Withdraw fully briefed. Controlling the efficiency of
21 proceedings and the docket in this case warrant the Court to act promptly.

22 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Enlargement of Time
23 (ECF No. 33) is GRANTED and Plaintiff's Reply in Support of his Motion to Withdraw from
24 Settlement is due on or before September 14, 2022.

25 DATED this 30th day of August, 2022.

Elayna J. Youchah
ELAYNA J. YOUCAH
UNITED STATES MAGISTRATE JUDGE